

March 31, 2011

Ms. Debbie Carlisle
California Department of Water Resources
Division of Integrated Regional Water Management
Financial Assistance Branch
1416 9th Street, Room 338
Sacramento, CA 95814

Dear Ms. Carlisle:

Subject: **Santa Clara Valley Water District Compliance with AB 1420 and Water Metering Requirements**

Funding Program Name: *Disaster Preparedness and Flood Prevention Bond Act of 2006
(Proposition 1E), Stormwater Flood Management Grant*

Applicant: *Santa Clara Valley Water District*

Project Title: *Lower Silver Creek, Reaches 4 -6, and Lake Cunningham Project*

The purpose of this letter is to document the Santa Clara Valley Water District's (District) compliance with AB 1420 and Water Metering Requirements. Attached is the Department of Water Resources letter dated November 9, 2010 which certified the District's compliance with AB 1420; also attached are the AB1420 signed tables dated October 29, 2010, submitted within the last 6 months with no changes. Also attached is a signed Certification for Compliance with Water Metering Requirements dated March 31, 2011.

If you have any questions regarding this letter, please contact Mr. Brian Mendenhall at 408-265-2607, extension 3093, or bmendenhall@valleywater.org.

Very truly yours,


Beau Goldie
Chief Executive Officer
Santa Clara Valley Water District

cc : Ann Draper
Brian Mendenhall

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



November 9, 2010

Mr. Beau Goldie, Chief Executive Officer
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, California 92236

Dear Mr. Goldie:

The Department of Water Resources (DWR) has reviewed the Santa Clara Valley Water District's (SCVWD) Self-Certification Statement – Table 1 dated October 29, 2010, regarding implementation of the Urban Best Management Practices (BMPs).

The purpose of DWR's review is to determine eligibility of SCVWD to receive water management grant or loan funds. DWR has followed the *Draft AB 1420 Compliance Requirements* dated June 1, 2009. For detailed information, please visit <http://www.water.ca.gov/wateruseefficiency/finance/>.

Based on DWR's review of the information in Table 1, SCVWD has and is currently implementing the BMPs consistent with AB 1420 and, therefore, is eligible to receive water management grant or loan funds.

DWR reserves the right to request additional information and documentation, including reports from SCVWD to substantiate the accuracy of the information provided in Table 1. DWR may reverse or modify its eligibility determination and notify you and the funding agency if inaccuracies are found in the supporting documentation or in Table 1.

If you have any questions, please contact me at (916) 651-7025 or Jodi Evans at (916) 651-7026.

Sincerely,


A handwritten signature in black ink, appearing to read "Fethi BenJemaa".

Fethi BenJemaa
Ag Water Use Efficiency Section Chief

AB 1420 Self-Certification Statement Table 1

Note: Table 1 documents Status of Past and Current BMP implementation.

Self-Certification Statement: The Urban Water Supplier and its authorized representative certifies, under penalty of perjury, that all information and claims, stated in this table, regarding compliance and implementation of the BMPs, including alternative conservation approaches, are true and accurate. This signed AB 1420 Self-Certification Statement Table 1, and Table 2 are the basis for granting funds by the Funding Agency. Falsification and/or inaccuracies in AB 1420 Self-Certification Statement Table 1, and Table 2 and in any supporting documents substantiating such claims may, at the discretion of the funding agency, result in loss of all State funds to the applicant. Additionally, the Funding Agency, in its sole discretion, may halt disbursement of grant or loan funds, not pay pending invoices, and/or pursue any other applicable legal remedy and refer the matter to the Attorney General's Office.

Name of Signatory Beau Goldie Title of Signatory Chief Executive Officer Signature of signatory  Date 10/29/10

Application Date: 10/27/10

Proposal Identification Number:

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CUWCC Member? Yes/No

Yes

[illegible]

Is the UWM Plan Deemed Complete by DWR? Yes/No

Applicant Name: Santa Clara Valley Water District

Project Title:

Applicant's Contact Information:

Name: Jerry De La Piedra**Phone:**

408-265-2600

E-mail:

gdelapiedra@valleywater.org

Retailer (List Below)

● 1997年12月1日

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● 1997年12月1日

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C1	C2	C3	C4	C5	C6	C7	C8	C9	C10	C11	C12	C13	C14	C15	C16	C17	C18
	BMPs required for Wholesaler Supplier	BMPs required for Retailer Supplier	BMPs	BMP Implemented by Retailers and/or Wholesalers / BMP			Compliance Options/Alternative Conservation Approaches (1)			BMP Is Exempt (2)			BMP Implementation Requirements Met				
				Retailer Yes/No	Wholesaler Yes/No	Regional Yes/No	BMP Checklist	Flex Track	Gallons Per Capita Per Day GPCD	Not Cost Effective	Lack of Funding	Lack of Legal Authority	CUWCC MOU Requirement Met: Yes/No	CUWCC MOU Requirement Met: Wholesaler Yes/No	Date of BMP Report Submitted to CUWCC for (2007-2008) (MOU Signatories)	Date BMP Implementation Data Submitted to DWR in CUWCC Format (Non MOU Signatories) (3)	All Supporting Documents have been Submitted Yes/No
			BMP 5 Large Landscape Conservation Programs and Incentives														
	✓	✓	BMP 6 High-Efficiency Washing Machine Rebate Programs														
✓		✓	BMP 7 Public Information		Yes		Yes										Yes
✓		✓	BMP 8 School Education		Yes		Yes										Yes
		✓	BMP 9 Conservation programs for Commercial, Industrial, and Institutional (CII) Accounts														
✓			BMP 10 Wholesale Agency Assistance Programs		Yes		Yes										Yes
	✓	✓	BMP 11 Conservation Pricing														
✓		✓	BMP 12 Conservation Coordinator		Yes		Yes										Yes
	✓	✓	BMP 13 Water Waste Prohibitions														
		✓	BMP 14 Residential ULFT Replacement Programs														

*C6: Wholesaler may also be a retailer (supplying water to end water users)

*C8, *C9, * and C10: Agencies choosing an alternative conservation approach are responsible for achieving water savings equal or greater than that which they would have achieved using only BMP list.

(1) For details, please see: <http://www.cuwcc.org/mou/exhibit-1-bmp-definitions-schedules-requirements.aspx>.

(2) BMP is exempt based on cost-effectiveness, lack of funding, and lack of legal authority criteria as detailed in the CUWCC MOU

(3) Non MOU signatories must submit to DWR reports and supporting documents in the same format as CUWCC.

California State Water Resources Control Board
California Department of Water Resources
California Department of Public Health



**CERTIFICATION FOR
COMPLIANCE WITH WATER METERING REQUIREMENTS
FOR FUNDING APPLICATIONS**

In 2004, Assembly Bill 2572 added section 529.5 to the Water Code, providing that, commencing January 1, 2010, urban water suppliers must meet certain volumetric pricing and water metering requirements in order to apply for permits for new or expanded water supply, or state financial assistance for the following types of projects:

1. wastewater treatment projects
2. water use efficiency projects (including water recycling projects)
3. drinking water treatment projects

For the purposes of compliance with Section 529.5, a "water use efficiency project" means an action or series of actions that ensure or enhance the efficient use of water or result in the conservation of water supplies.

Please consult with your legal counsel and review sections 525 through 529.7 of the Water Code before completing this certification.

Applicants Affected

This requirement applies to urban water suppliers.

"Urban water supplier" means a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. An urban water supplier includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells for ultimate resale to customers.

When Certification is Required

State Water Resources Control Board (SWRCB): The application for financial assistance must include a completed and signed certification form demonstrating compliance with the water metering requirements.

Department of Water Resources (DWR) funding applications: This certification must be completed and submitted with the funding application. Check the specific proposal solicitation package for directions on applicability and submittal instructions.

Department of Public Health (DPH) Safe Drinking Water State Revolving Fund Program: This certification must be completed and submitted with the executed Notice of Acceptance of Application (NOAA).

California State Water Resources Control Board
California Department of Water Resources
California Department of Public Health



**CERTIFICATION FOR
COMPLIANCE WITH WATER METERING REQUIREMENTS
FOR FUNDING APPLICATIONS**

Funding Agency name: California Department of Water Resources
Funding Program name: Disaster Preparedness and Flood Prevention Bond Act of 2006
(Proposition 1E) Stormwater Flood Management
Applicant (Agency name): Santa Clara Valley Water District
Project Title (as shown on application form): Lower Silver Creek, Reaches 4-6, and
Lake Cunningham Project

Please check one of the boxes below and sign and date this form.

☐ As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the agency is not an urban water supplier, as that term is understood pursuant to the provisions of section 529.5 of the Water Code.

☒ As the authorized representative for the applicant agency, I certify under penalty of perjury under the laws of the State of California, that the applicant agency has fully complied with the provisions of Division 1, Chapter 8, Article 3.5 of the California Water Code (sections 525 through 529.7 inclusive) and that ordinances, rules, or regulations have been duly adopted and are in effect as of this date.

I understand that the Funding Agency will rely on this signed certification in order to approve funding and that false and/or inaccurate representations in this Certification Statement may result in loss of all funds awarded to the applicant for its project. Additionally, for the aforementioned reasons, the Funding Agency may withhold disbursement of project funds, and/or pursue any other applicable legal remedy.

Beau Goldie
Name of Authorized Representative
(Please print)

DJ
Signature

Chief Executive Officer
Title

4/6/11
Date